

UNDT/2021/073, Cherneva

UNAT Held or UNDT Pronouncements

UNDT held that the application was not receivable both *ratione personae* and *ratione materiae* because at the date of the filing of the present application, the Applicant was not a staff member and the contested decision had no bearing on her status as a former staff member or otherwise breached the terms of her former appointment or contract of employment. UNDT rejected the application in its entirety.

Decision Contested or Judgment/Order Appealed

The Applicant contested the alleged decision to “fire” the Director of Partnerships at UNICEF.

Legal Principle(s)

“UNDT is competent to hear and pass judgment on an application filed by, *inter alia*, a former staff member. However, for an application to be receivable, the former staff member shall “appeal an administrative decision that is alleged to be in non-compliance with their terms of appointment or their contract of employment.”

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Cherneva

Entity

UNICEF

Case Number(s)

UNDT/GVA/2021/019

Tribunal

UNDT

Registry

Geneva

Date of Judgement

25 Jun 2021

Duty Judge

Judge Bravo

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Personal (*ratione personae*)

Applicable Law

Staff Rules

- Rule 3.1(b)

UNDT Statute

- Article 2.1

Related Judgments and Orders

2013-UNAT-335

2014-UNAT-406

2013-UNAT-313

UNDT/2018/081

UNDT/2020/074

UNDT/2021/003

2017-UNAT-727

2011-UNAT-171